

REMARKS

Claims 1, 2, 4-7, 9, 11 and 20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Strater '572. A rejection based on anticipation requires that the single cited reference disclose each and every feature set forth in the claims at issue.

Applicants submits Strater '572 fails to anticipate the claims as required under 35 U.S.C. 102(b) and therefore traverse the rejection.

All of the claims at issue include a container containing a supply of viscous fluid which, when placed in the filter of a smoking article, forms a barrier which traps tar and nicotine within the filter. As Strater '572 fails to disclose the supply of viscous fluid, the reference cannot anticipate the claims under 35 U.S.C. 102(b). Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 13, 14 and 16-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Strater '572 in view of Riccio '010. Riccio '010 discloses an air pressure operated dispenser, but fails to overcome the deficiency of Strater '572. There is no teaching or suggestion in either reference for the supply of viscous fluid which forms a barrier that traps tar and nicotine within a filter set forth in the claims at issue. Accordingly, the references cannot form the basis for finding the claims *prima facie* obvious as required under 35 U.S.C. 103. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 13-16 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Strater '572 in view of Santeramo '178. Santeramo '178 is cited for its disclosure of a piston/cylinder with graduated markings, but the reference fails to overcome the basic deficiency of Strater '572, namely, neither reference discloses or suggests the claimed supply of viscous fluid that forms a barrier that traps tar and nicotine within a filter as claimed. Again, the references cannot form the basis for finding the claims *prima facie* obvious as required under 35 U.S.C. 103 when neither

references provides any suggestion of the claimed viscous fluid supply. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen '015 et al. in view of Strater '572. Applicant notes claim 20 specifically requires a disposable delivery feature which places a substantially definable quantity of the fluid at a predetermined location within the filter, the location being sufficiently remote from a free end face of the smoking article to be put in the mouth so as to prevent the user from tasting the fluid. In contrast, Rosen '015 teaches that the dispensed wetted impact barrier is to be placed on the top end surface of the smoking article. In fact, the abstract specifically states "This invention is designed **only** to dispense the wetted impact barrier on the top end surface of a mouthpiece of a cigarette filter." (Emphasis Added). The specification further notes at column 2, lines 63-64 "the top end surface of the filter mouthpiece is the **only part** of the filter that is wetted" (Emphasis Added). Accordingly, Rosen '015 clearly teaches away from the claimed invention.

In view of the above, all of the claims in this case (including new claims 21-23 which have been added to further claim the features of the disclosed invention) are in condition for allowance, notice of which is respectfully urged.

Respectfully submitted,

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